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EXAMINER

VAN DOREN, BETH

ART UNIT PAPER NUMBER

3623

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/758,972

Applicant(s)

JAGGI, SANDEEP

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/10/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. The following is a non-final, first office action in response to communications filed 01/01/2001. Claims 1-16 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Srinivasan (U.S. 5,548,506).

4. As per claim 12, Srinivasan teaches a system for managing projects comprising:

a. means for inputting data concerning a project (See at least column 5, lines 20-35 and 53-65, and column 7, lines 10-45, wherein data is input concerning a project);

b. means for associating individuals with said project (See at least figure 6, column 6, lines 10-20, and column 7, lines 5-20 and 35-60, wherein individuals are associated with the project);

c. means for inputting the fact of completion of a first task associated with said project (See figures 7 and 8, column 7, lines 45-67, wherein the user informs the system of completion of a task);

d. means for generating and electronically transmitting, responsive to the inputting of the fact of the completion of said first task, an instruction to complete a second task to an individual associated with said project (See figures 7 and 8, column 2, lines 60-67, column 3, lines 1-18 and 25-35, and column 7, lines 45-67, wherein instruction to complete a second task is triggered).

5. Claims 8 and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Grow (U.S. 6,694,315).

6. As per claim 8, Grow teaches a system for managing projects comprising:

a. means for inputting data concerning a project (See at least figures 2(a), 2(b), and 3, which disclose inputting data concerning a project);

b. means for associating individuals with said project (See at least figures 2(a) and 2(b), and column 4, lines 15-30, wherein individuals are associated with the project);

c. means for predetermining a date (See at least figures 2(a), 2(b), and 3, and column 10, table 1, lines 15-25 and 38-45, wherein a date is predetermined);

d. means for generating and electronically transmitting to a first individual associated with said project, prior to said predetermined date, a first reminder to complete a task associated with the project (See at least figure 2(b), and column 12, lines 34-55, 64-67, and table III, column 13, lines 1-10, column 17, lines 10-23, and column 18, lines 20-41, 48-55, and 60-67, which discloses a reminder to complete the task); and

e. means for generating and electronically transmitting to said first individual and a second individual to whom the first reminder was not transmitted a second reminder to complete

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the task associated with the project (See at least column 18, lines 20-35 and 60-67, which discloses a second reminder to a user and an administrator).

7. As per claim 13, Grow teaches a system for managing projects comprising:

a. means for inputting data concerning a project (See at least figures 2(a), 2(b), and 3, which disclose inputting data concerning a project);

b. means for associating individuals with said project (See at least figures 2(a) and 2(b), and column 4, lines 15-30, wherein individuals are associated with the project);

c. means for generating and electronically transmitting reminders to complete a task associated with said project to a first individual associated with the project (See at least figure 2(b), and column 12, lines 34-55, 64-67, and table III, column 13, lines 1-10, column 17, lines 10-23, and column 18, lines 10-41, 48-55, and 60-67, wherein reminders are sent to an individual); and

d. means for generating and electronically transmitting a reminder to a second individual associated with the project that said task requires completion, wherein said reminder to said second individual is generated and transmitted after a predetermined number of reminders have been transmitted to said first individual concerning said task (See at least column 18, lines 20-35 and 60-67, which discloses a second reminder to a user and an administrator).

8. As per claim 14, Grow teaches a system wherein said second individual is the supervisor of said first individual (See at least column 18, lines 10-35 and 60-67, which discloses a second reminder to a user and an administrator).

9. As per claim 15, Grow teaches a system comprising:

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a. means for inputting data concerning a project (See at least figures 2(a), 2(b), and 3, which disclose inputting data concerning a project);

b. means for associating individuals with said project (See at least figures 2(a) and 2(b), and column 4, lines 15-30, wherein individuals are associated with the project);

c. means for predetermining a date (See at least figures 2(a), 2(b), and 3, and column 10, table 1, lines 15-25 and 38-45, wherein a date is predetermined);

d. means for automatically generating and electronically transmitting by a first mode to an individual associated with said project, prior to said predetermined date, a first reminder to complete a task associated with the project (See at least figure 2(b), and column 12, lines 34-55, 64-67, and table III, column 13, lines 1-10, column 17, lines 10-23, and column 18, lines 10-41, 48-55, and 60-67, wherein a first reminder is sent); and

e. means for automatically generating and electronically transmitting by a second mode to said individual a second reminder to complete the task associated with the project (See at least column 18, lines 10-25 and 55-67, wherein a second reminder is sent).

10. As per claim 16, Grow teaches a system wherein said first mode is e-mail and said second mode is voice mail (See column 17, lines 10-25, and column 18, lines 10-20, wherein the modes of reminders are disclosed).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grow (U.S. 6,694,315).

12. As per claim 1, Grow teaches a system for managing projects comprising:

a. means for inputting data concerning a project (See at least figures 2(a), 2(b), and 3, which disclose inputting data concerning a project);

b. means for associating individuals with said project (See at least figures 2(a) and 2(b), and column 4, lines 15-30, wherein individuals are associated with the project);

c. means for determining a deadline for completing a task associated with said project (See at least figures 2(a), 2(b), and 3, and column 10, table 1, lines 15-25 and 38-45, wherein a date is predetermined);

d. means for determining a first date prior to said deadline (See at least figure 2(b), and column 12, lines 34-55, 64-67, and table III, column 13, lines 1-10, column 17, lines 10-23, and column 18, lines 10-41, 48-55, and 60-67, wherein a first date prior to the deadline is set);

e. means for generating and electronically transmitting on said first date a first reminder to complete said task to an individual associated with the project (See at least figure 2(b), and column 12, lines 34-55, 64-67, and table III, column 13, lines 1-10, column 17, lines 10-23, and column 18, lines 10-41, 48-55, and 60-67, wherein a first reminder is sent);

f. means for determining a second date that is before said deadline but after said first date (See at least column 18, column 18, lines 10-41, 48-55, and 60-67, wherein a second date is determined);

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g. means for generating and electronically transmitting to said individual on said second date a second reminder to complete said task to said individual associated with the project (See at least column 18, lines 10-41, 48-55, and 60-67, wherein a second reminder is sent);

h. means for determining a third date that is before said deadline but after said second date (See at least column 18, lines 10-41, 48-55, and 60-67, wherein a third reminder date is determined); and

i. means for generating and electronically transmitting to said individual on said third date a third reminder to complete said task to said individual associated with the project (See at least column 18, lines 10-41, 48-55, and 60-67, wherein a third reminder is sent).

However, while Grow discloses sending a first and then multiple subsequent reminders, Grow does not expressly disclose that the number of days between said first date and said second date is greater than the number of days between said second date and said third date.

Grow discloses that a first reminder would be sent at a notification date prior to the critical date of a legal action. After this first reminder, a second reminder would be sent at a predetermined interval after the first reminder (i.e. second date). After this second date a third reminder would be sent again at a predetermined interval after the second date or a third reminder would be sent on the critical date. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention that the interval between the second and third date is shorter than the interval between the first and second date in order to reduce the potential for missed deadlines by sending multiple reminders close to the critical date of the legal action. See at least column 1, lines 45-67, column 2, lines 1-7, and column 18, lines 20-30, which discusses this advantage of sending multiple reminders.

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13. As per claim 2, Grow teaches a system wherein said deadline is the last day to respond to an action by a governmental agency without an extension (See at least figures 2(a), 2(b), and 3, and column 10, table 1, lines 15-25 and 38-45, column 11, lines 5-30 and 40-67, and column 13, lines 1-10 and 35-40, wherein the deadline is based on an action being required to a government agency without an extension).

14. As per claim 3, Grow teaches a system wherein said predetermined date is the last day to respond to an action by a governmental agency without an extension (See at least column 1, lines 45-67, column 2, lines 1-7, column 10, table 1, lines 15-25 and 38-55, column 11, lines 5-30 and 45-67, and column 18, lines 20-40, which discusses critical dates and extensions). However, while Grow discusses that the system would be tailored to any area of practice of an attorney or agent, Grow does not expressly disclose that the governmental action is an office action issued by a patent examiner.

Grow discusses that the critical dates and notification dates stored in the system relate to legal deadlines set with regards to legal actions and that the system would be tailored to any area of practice of an attorney or agent. An office action is a well-known legal action in the patent field of law and it is further well-known that this action has a required deadline set by statutory law. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the automated docketing system of Grow (that is applied in the legal field to make legal deadlines) to docket and monitor office action deadlines in order to reduce the potential for missing deadlines to the office action by sending automatic reminders to the person in charge of filing. See at least column 1, lines 45-67, column 2, lines 1-7, and column 18, lines 20-30, which discusses the advantages of the system in the legal field.

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15. As per claim 4, Grow teaches a system wherein said predetermined date is a statutorily set deadline (See at least column 1, lines 45-67, column 2, lines 1-7, column 10, table 1, lines 15-25 and 38-55, column 11, lines 5-30 and 45-67, which discusses critical dates and extensions). However, while Grow discusses that the system would be tailored to any area of practice of an attorney or agent, Grow does not expressly disclose that the statutorily set deadline is for filing a patent application.

Grow discusses that the critical dates and notification dates stored in the system relate to legal deadlines set with regards to legal actions and that the system would be tailored to any area of practice of an attorney or agent. It is well known that a patent application a required deadline set by statutory law (for example, the filing of an application within a year of disclosure of the invention, the filing of a non-provisional application within a year of filing a provisional, etc.). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the automated docketing system of Grow (that is applied in the legal field to make legal deadlines) to docket and monitor patent application filing deadlines in order to reduce the potential for missing filing deadlines by sending automatic reminders to the person in charge of filing. See at least column 1, lines 45-67, column 2, lines 1-7, and column 18, lines 20-30, which discusses the advantages of the system in the legal field.

16. As per claim 5, Grow teaches a system wherein said second reminder is also electronically transmitted to a second individual associated with the project who was not sent said first reminder (See at least column 18, lines 20-35 and 60-67, which discloses a second reminder to a user and an administrator).

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17. As per claim 6, Grow discloses a system wherein said third reminder is also electronically transmitted to a third individual associated with the project who was not sent said second reminder (See column 18, lines 20-30, wherein the administrator is emailed).

18. As per claim 7, Grow teaches a system wherein said second individual is a supervisor of said individual associated with the project (See column 18, lines 20-30, wherein the second individual is the administrator of the first individual is emailed).

19. As per claim 9, Grow teaches a system wherein said predetermined date is the last day to respond to an action by a governmental agency without an extension (See at least column 1, lines 45-67, column 2, lines 1-7, column 10, table 1, lines 15-25 and 38-55, column 11, lines 5-30 and 45-67, which discusses critical dates and extensions). However, while Grow discusses that the system would be tailored to any area of practice of an attorney or agent, Grow does not expressly disclose that the governmental action a PTO office action issued by a patent examiner.

Grow discusses that the critical dates and notification dates stored in the system relate to legal deadlines set with regards to legal actions and that the system would be tailored to any area of practice of an attorney or agent. An office action is a well-known legal action in the patent field of law and it is further well-known that this action has a required deadline set by statutory law. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the automated docketing system of Grow (that is applied in the legal field to make legal deadlines) to docket and monitor office action deadlines in order to reduce the potential for missing deadlines to the office action by sending automatic reminders to the person in charge of filing. See at least column 1, lines 45-67, column 2, lines 1-7, and column 18, lines 20-30, which discusses the advantages of the system in the legal field.

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20. As per claim 10, Grow teaches a system wherein said predetermined date is a statutorily set deadline (See at least column 1, lines 45-67, column 2, lines 1-7, column 10, table 1, lines 15-25 and 38-55, column 11, lines 5-30 and 45-67, which discusses critical dates and extensions). However, while Grow discusses that the system would be tailored to any area of practice of an attorney or agent, Grow does not expressly disclose that the statutorily set deadline is for filing a patent application.

Grow discusses that the critical dates and notification dates stored in the system relate to legal deadlines set with regards to legal actions and that the system would be tailored to any area of practice of an attorney or agent. It is well known that a patent application a required deadline set by statutory law (for example, the filing of an application within a year of disclosure of the invention, the filing of a non-provisional application within a year of filing a provisional, etc.). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the automated docketing system of Grow (that is applied in the legal field to make legal deadlines) to docket and monitor patent application filing deadlines in order to reduce the potential for missing filing deadlines by sending automatic reminders to the person in charge of filing. See at least column 1, lines 45-67, column 2, lines 1-7, and column 18, lines 20-30, which discusses the advantages of the system in the legal field.

21. As per claim 11, Grow discloses a system further comprising means for generating and electronically transmitting a reminder to said first individual and a second individual, to whom the first reminder was not sent, a second reminder to complete the task associated with the project (See at least column 18, lines 20-35 and 60-67, which discloses a second reminder to a user and

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an administrator). Grow also discloses a system wherein a law firm with multiple lawyers is identified in the system (See column 8, lines 10-40). However, Grow does not expressly disclose a third individual to whom neither the first reminder or second reminder was sent or transmitting a third reminder to the third individual.

Grow teaches a system where a reminder is sent to the individuals responsible for completing a legal action and a subsequent reminder would also be sent to an administrator associated with the individual to ensure the action is completed by the critical date. Grow further discloses storing the members of a law firm together in the system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to send a third reminder to a third individual in the law firm in order to reduce the potential for missed deadlines by sending multiple reminders close to the critical date of the legal action. See at least column 1, lines 45-67, column 2, lines 1-7, and column 18, lines 20-30, which discusses this advantage of sending multiple reminders.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Leedom, Jr. (U.S. 5,329,447) discloses a computer implemented docketing system that discloses deadlines associated with IP law.

Simpson et al. (U.S. 6,549,894) teaches a computerized docketing system that classifies due dates.

Sankar (U.S. 5,867,822) discloses a calendaring program that provides reminders.

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Derwent/Anonymous (RD 347046 A) teaches multiple reminders for events scheduled in a user's calendar program.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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bvd

September 2, 2004


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